



**POLICE CRIMINAL COMPLAINT**  
COMMONWEALTH OF PENNSYLVANIA  
VS.

**COMMONWEALTH OF PENNSYLVANIA**  
**COUNTY OF: YORK**

Magisterial District Number: 19-3-04  
MDJ Name: Hon. JEFFREY JOY  
Address: 165 FAIRVIEW COURT  
NEW FREEDOM, PA. 1739  
Telephone: (717)227-0588

**DEFENDANT: (NAME and ADDRESS):**  
MATTHEW SCOTT DIEHL  
First Name Middle Name Last Name Gen.  
39 VALLEY RD  
SHREWSBURY, PA 17361

**NCIC EXTRADITION CODE TYPE**

☐ 1-Felony Full ☐ 4-Felony No Ext. ☐ B-Misdemeanor Limited ☐ E-Misdemeanor Pending  
☒ 2-Felony Ltd. ☐ 5-Felony Pend. ☐ C-Misdemeanor Surrounding States Distance:  
☐ 3-Felony Surrounding States ☐ A-Misdemeanor Full ☐ D-Misdemeanor No Extradition

**DEFENDANT IDENTIFICATION INFORMATION**

Docket Number Date Filed OTN/LiveScan Number Complaint/Incident Number SID: Request Lab Services?  
11 L781655-0 H07-2202804 31453381 ☒ YES ☐ NO

GENDER DOB 04/03/1981 POB PA Add'l DOB Co-Defendant(s) ☐  
☒ Male First Name: Middle Name: Last Name: Gen.  
☐ Female AKA

RACE ☒ White ☐ Asian ☐ Black ☐ Native American ☐ Unknown  
ETHNICITY ☐ Hispanic ☐ Non-Hispanic ☐ Unknown  
HAIR COLOR ☐ GRY (Gray) ☐ RED (Red / Auburn) ☐ SDY (Sandy) ☐ BLU (Blue) ☐ PLE (Purple) ☐ BRO (Brown)  
☐ BLK (Black) ☐ ONG (Orange) ☐ WHI (White) ☐ XXX (Unk. / Bald) ☐ GRN (Green) ☐ PNK (Pink)  
☒ BLN (Blonde / Strawberry)  
EYE COLOR ☐ BLK (Black) ☒ BLU (Blue) ☐ BRO (Brown) ☐ GRN (Green) ☐ GRY (Gray)  
☐ HAZ (Hazel) ☐ MAR (Maroon) ☐ PNK (Pink) ☐ MUL (Multicolored) ☐ XXX (Unknown)

Driver License State PA License Number 25610318 Expires: 04/04/17 WEIGHT (lbs.)  
DNA ☐ YES ☒ NO DNA Location 150  
FBI Number 580978DC5 MNU Number Ft. HEIGHT In.  
Defendant Fingerprinted ☐ YES ☒ NO 5 08  
Fingerprint Classification

**DEFENDANT VEHICLE INFORMATION**

Plate # State Hazmat Registration Sticker (MM/YY) Comm'l Veh. Ind. School Veh. Oth. NCIC Veh. Code Reg. same as Def.  
GLR4888 PA ☐ ☐ ☐ ☐ ☐ ☒

VIN Year Make Model Style Color  
1GNET16S456141791 2005 CHEVROLET TRAILBLAZER SW WHITE

Office of the Attorney for the Commonwealth ☒ Approved ☐ Disapproved because:  
(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing Pa.R.Crim.P. 507.)

(Name of Attorney for Commonwealth - Please Print or Type)

I, TPR. JEFFREY GOTWALS  
(Name of Agent - Please Print or Type)

(Signature of Attorney for Commonwealth)

00440937/07135

(PAP/MP/OTC - Assigned Agent ID Number & Badge #)

of the Pennsylvania State Police, Troop H, York  
(Identify Department or Agency Represented and Political Subdivision)

PAPSP9400  
(Police Agency Unit Number)

do hereby state: (check appropriate box)

1. ☒ I accuse the above named defendant who lives at the address set forth above  
☐ I accuse the defendant whose name is unknown to me but who is described as  
☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe or Jane Doe.

with violating the penal laws of the Commonwealth of Pennsylvania at:

228

(Subdivision Code)

I-83 SOUTHBOUND IN AT EXIT #8  
SPRINGFIELD TOWNSHIP  
(Place-Political Subdivision)

in YORK County (County Code) 66 on or about 04/27/13 AT APPROX. 0051 HRS



## POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11	OTN/LiveScan Number L 781655-0	Complaint/Incident Number H07-2202804
Defendant Name	First: MATTHEW	Middle: SCOTT	Last: DIEHL

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	1	3735	(a)	of the	Title 75, PA Vehicle Code	1	F2		/
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Offense # Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

**Homicide By Vehicle While Driving Under Influence**

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT did unintentionally cause the death of another person, namely, Rodney Paul MILLER W/N-M Dob 02/06/1968, as the result of a violation of PA Vehicle Code Section 3802, Driving Under Influence of Alcohol or Controlled Substance, at I-83 SB at Exit # 8 Springfield Twp York Co PA, said violation being the cause of the VICTIM'S death, in violation of Section 3735(a) of the PA Vehicle Code.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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<input type="checkbox"/> Lead?	2	3732	(a)	of the	Title 75, PA Vehicle Code	1	F3		/
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Offense # Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

**Homicide by Vehicle**

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT did recklessly or with gross negligence cause the death of another person, namely, Rodney Paul MILLER W/N-M Dob 02/06/1968, while engaged in a violation of a law of the Commonwealth of Pennsylvania or municipal ordinance applying to the operation or use of a vehicle or to the regulation of traffic, namely, Reckless Driving, Duty of Driver in Emergency Response Areas, at I-83 SB at Exit #8 Springfield Twp York Co PA, said violation being the cause of the death of Rodney Paul MILLER W/N-M Dob 02/06/1968, in violation of Section 3732(a) of the PA Vehicle Code.



## POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11	OTN/LiveScan Number L 781635-0	Complaint/Incident Number H07-2202804
Defendant Name	First: MATTHEW	Middle: SCOTT	Last: DIEHL

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits, 204 PA Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	3	3742	(a)	of the	Title 75, PA Vehicle Code	1	F3		
Offense #	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

### Accidents Involving Death or Personal Injury

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT, being the driver of a vehicle involved in an accident resulting in injury or death of a person at I-83 SB at exit #8 Springfield Twp York Co PA, did fail to immediately stop the vehicle at the scene of the accident or as close thereto as possible and forthwith return to the the scene AND/OR did fail to remain at the scene of the accident until HE fulfilled the requirements of Section 3744 of the PA Vehicle Code, relating to duty to give information and render aid, in violation of Section 3742(a) of the PA Vehicle Code.

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	4	3802	(a)(1)	of the	Title 75, PA Vehicle Code	1	M		210/
Offense #	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

### Driving Under the Influence of Alcohol or Controlled Substance

Acts of the accused associated with this Offense:

IN THAT, on or about said date THE DEFENDANT did drive, operate or was in actual physical control of the movement of a vehicle namely, a white 2005 Chevrolet Trailblazer PA Reg GLR4888 Vin 1GNET16S456141791 after imbibing a sufficient amount of alcohol such that rendered HIM incapable of safely driving, operating or being in actual physical control of the movement of the vehicle, in violation of Section 3802 (a)(1) of the PA Vehicle Code.



## POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11	OTN/LiveScan Number L 781655-0	Complaint/Incident Number H07-2202804
Defendant Name	First: MATTHEW	Middle: SCOTT	Last: DIEHL

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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Lead?	5	3327	(a)(2)	of the	Title 75, PA Vehicle Code	1	S		/
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Offense # Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

### Duty of Driver in Emergency Response Areas

Acts of the accused associated with this Offense:

In that, on or about said date, the defendant was approaching or passing an emergency response area in a nonadjacent lane and failed to pass the emergency response area in a careful and prudent reduced speed reasonable for safely passing the emergency response area, in violation of Section 3327(a)(2) of the Pa Vehicle Code

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
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Lead?	6	3736	(a)	of the	Title 75, PA Vehicle Code	1	S		/
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Offense # Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

### Reckless Driving

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT did drive a vehicle in willful or wanton disregard for the safety of persons or property, in violation of Section 3736(a) of the PA Vehicle Code.



## POLICE CRIMINAL COMPLAINT

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Defendant Name	First: MATTHEW	Middle: SCOTT	Last: DIEHL

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	7	3744	(a)	of the	Title 75, PA Vehicle Code	1	S	/
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Offense #      Section      Subsection      PA Statute (Title)      Counts      Grade      NCIC Offense Code      UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):

### Duty To Give Information and Render Aid

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT, being the driver of a vehicle involved in an accident resulting in injury to or death of a person or damage to a vehicle or other property which was driven or attended by a person at I-83 SB at Exit #8 Springfield Twp York Co PA, did fail to give his name, address and registration number of the vehicle he was driving, AND/OR did fail upon request to exhibit his driver's license and information relating to financial responsibility to a person injured in the accident or to the driver or occupant of or person attending a vehicle or other property damaged in the accident AND/OR did fail upon request to exhibit HIS license and information relating to financial responsibility to a police officer at the scene of the accident or who was investigating the accident AND/OR did fail to render reasonable assistance to a person injured in the accident, in violation of Section 3744(a) of the PA Vehicle Code.



## POLICE CRIMINAL COMPLAINT

Docket Number	Date Filed 11	OTN/LiveScan Number L 481655-0	Complaint/Incident Number H07-2202804
Defendant Name	First: MATTHEW	Middle: SCOTT	Last: DIEHL

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. §4904) relating to unsworn falsification to authorities.
4. This complaint consists of the preceding page(s) numbered 1 through 6

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

APRIL 27, 2013

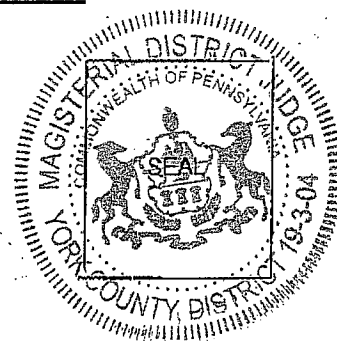
(Date)

(Signature of Affiant)

AND NOW, on this date, 4-27-2013 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

(Magisterial District Court Number)

(Issuing Authority)



☒ Lab user fee applies.



## POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 11	OTN/LiveScan Number: L 781655-0	Complaint/Incident Number H07-2202804
Defendant Name:	First: Matthew	Middle: Scott	Last: DIEHL

## AFFIDAVIT of PROBABLE CAUSE

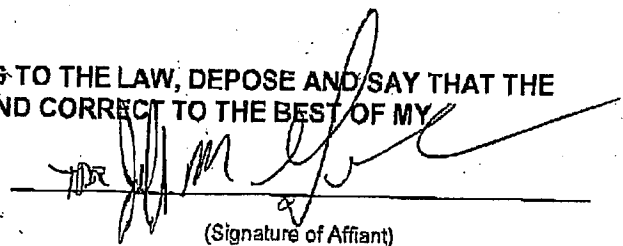
This affiant has been a member of the PA State Police for 19 years and is currently assigned as a criminal investigator at Troop H York.

This incident occurred on I-83 Southbound at Exit # 8 in Springfield Township, York County Pennsylvania on 04/27/13 at approx. 0051 hrs.

This incident occurred as The accused (Matthew Scott DIEHL W/N-M Dob04/03/1981 PA OLN 25610318) was traveling southbound on I-83 in his 2005 white Chevrolet Trailblazer Pa registration GLR4888 Vin# 1GNET16S456141791. The victim (Chief Rodney Paul MILLER W/N-M Dob 02/06/1968 of the Loganville Volunteer Fire Department ) was stationed at exit #8 on I-83 southbound, diverting traffic off of I-83. The diversion was due to the fact there was an earlier crash on I-83 south of this location. The highway needed to be shutdown to land the medevac helicopter and to clear the crash scene. Chief MILLER had his emergency vehicle parked in the southbound lanes with its emergency lights activated. DIEHL, who had been traveling in the left lane, moved over to the right lane and went around Chief MILLER's vehicle. DIEHL struck Chief MILLER with the front of his vehicle on the passenger side. Chief MILLER was in the lane of travel directing vehicles off of the highway. DIEHL continued south on I-83 until he was forced to come to a stop due to stopped vehicles in the backlog of the prior crash. Chief MILLER was transported to York Hospital where he was pronounced dead.

Tpr Jonathan CONFER of PSP York confronted DIEHL after he stopped in the backlog of traffic. The odor of alcoholic beverage was detected on DIEHL's person. Field sobriety exercises were conducted and preliminary breath test (PBT) was administered. The PBT yielded a positive reading for alcohol. DIEHL was taken into custody and a legal blood draw was conducted.

I, TPR. JEFFREY GOTWALS, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

  
(Signature of Affiant)

Sworn to me and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, \_\_\_\_\_

